

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

JAMES HARDAWAY §
v. § CIVIL CASE NO. 4:21-CV-109-SDJ
SPRINT CORPORATION §

**MEMORANDUM ADOPTING THE REPORT AND
RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the Report and Recommendation of the United States Magistrate Judge (“Report”), this matter having been referred to the Magistrate Judge pursuant to 28 U.S.C. § 636. On May 12, 2021, the Report of the Magistrate Judge, (Dkt. #17), was entered containing proposed findings of fact and recommendations. Specifically, the Magistrate Judge recommended as follows:

(1) Defendant Sprint Corporation’s Motion to Set Aside, (Dkt. #11), be granted; (2) the Clerk’s Entry of Default, (Dkt. #6), be set aside; (3) Plaintiff James Hardaway’s Motion for Default Judgment, (Dkt. #8), be denied as moot; and (4) Defendant Sprint Corporation be ordered to file an answer or responsive pleading within fourteen days of this Memorandum. Having assessed the Report and the record in this case, and no objections to the Report having been timely filed, (Dkt. #18), the Court determines that the Magistrate Judge’s Report should be adopted.

It is therefore **ORDERED** that Defendant Sprint Corporation’s Motion to Set Aside, (Dkt. #11), is **GRANTED**. The Clerk’s Entry of Default, (Dkt. #6), is **SET ASIDE**.

It is further **ORDERED** that Plaintiff James Hardaway's Motion for Default Judgment, (Dkt. #8), is **DENIED as moot**.

It is finally **ORDERED** that Defendant Sprint Corporation file an answer or responsive pleading within fourteen days of this Memorandum.

So ORDERED and SIGNED this 8th day of June, 2021.



SEAN D. JORDAN
UNITED STATES DISTRICT JUDGE